

REMARKS

Claims 1-15 are pending in the application.

Claims 1-15 have been rejected; all rejections are traversed.

Various amendments to the specification are made to accommodate the Examiner.

Applicant notes the Examiner's statements regarding the definition of claim terms in the specification, and in particular the Examiner's statement that "In the legal scope of the terms in view of the meaning in Patent [*sic*] claims the Applicant has no authority to override the terms such as "include" or "comprise" etc. Applicant may only define terms for technical meaning but not the terms of Patent [*sic*] law." Applicant disagrees. The caselaw and MPEP are clear that the Applicant is entitled to be his or her own lexicographer and may rebut the presumption that claim terms are to be given their ordinary and customary meaning by clearly setting forth a definition of the term that is different from its ordinary and customary meaning(s). See, *e.g.*, MPEP 2111.01 and 2175.05(a). There is no restriction on this entitlement. The Examiner is invited to provide any statute, rule, or MPEP section in support of his position.

Applicant also notes the Examiner's request for Microsoft LDAP SDK documentation. The undersigned has inquired of the applicant, and neither the undersigned nor the applicant possesses or is aware of any formal printed "manual" or similar documentation. The inventor notes that some online reference material is available at this time, at the following URLs (and sublinks):

<http://msdn2.microsoft.com/en-us/library/aa366112.aspx>

<http://msdn2.microsoft.com/en-us/library/aa366961.aspx>

<http://msdn2.microsoft.com/en-us/library/aa367008.aspx>

<http://msdn2.microsoft.com/en-us/library/aa366075.aspx>

Applicant has also printed these pages and formally filed them with an IDS. Applicant notes that the original publication date of any of these pages is unknown, and so Applicant cannot determine what may or may not constitute prior art under 35 USC §102.

Reconsideration of the claims is respectfully requested.

I. Claim Rejections Under 35 U.S.C. § 101

Claims 6-15 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. This rejection is respectfully traversed.

Claims 6-10 are drawn to a data processing system having a processor, memory, and various claimed means. This is unquestionably statutory subject matter, and these are neither the software claims or method claims for which the Examiner expresses concern.

Claim 11 has been amended to indicate that the results are stored in a machine-readable medium, per the Examiner's suggestion, and so the rejections of claims 11-15 are believed moot.

These rejections are traversed.

CLAIM REJECTIONS -- 35 U.S.C. § 102

Claims 1, 6 and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by LDAP Programming with JAVA, by Rob Weltman et al., published 2000, hereinafter "Weltman". This rejection is respectfully traversed.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131, p. 2100-76 (8th ed., rev. 4, October 2005) (*citing In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990)). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. *Id.* (*citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987)).

Claim 1 requires:

- receiving a first function call in a first programming language;
- translating the first function call into a second function call in a second programming language;
- transmitting a lightweight directory access protocol function call, corresponding to the second function call, to a software service;
- receiving results from the software service;
- formatting the results to correspond to the first programming language; and
- returning the formatted results

Claims 6 and 11 have similar limitations. Weltman does not teach or suggest these limitations.

Weltman, at the pages referenced by the Examiner, describes a JavaScript function creates an “LDAPConnection” object; extracts various parameters from HTML form elements, and performs a subtree search (page 251). Weltman also appears to teach converting Java datatypes to JavaScript datatypes (page 250).

Weltman, of course, teaches receiving a first function call in a first programming language (as virtually any programming reference would). Weltman does not appear to teach or suggest (and certainly does not teach or suggest at these particular pages) translating that first function call into a second function call in a second programming language, whether the first and second programming languages are seen to be Java, JavaScript, or otherwise.

Weltman mentions an LDAPConnection object and MyLDAP class, and the code segments appear to describe connected to an LDAP host, but Weltman does not appear to teach or suggest (and certainly does not teach or suggest at these particular pages) transmitting a lightweight directory access protocol function call to a software service, where the LDAP function call corresponds to the second function call (which must be in a second programming language, translated from a first function call in a first programming language).

Weltman does include code that appears to receive code from a software service on page 252. Weltman does not appear to teach or suggest (and certainly does not teach or suggest at these particular pages) formatting the results to correspond to the first programming language, whether the first programming language is considered to be Java or JavaScript or otherwise, and returning the formatted results.

As such, it is clear that Weltman does not teach or suggest all limitations of the independent claims. Accordingly, the Applicant respectfully requests the Examiner to withdraw the § 102 rejection with respect to these claims.

Applicant respectfully notes that the Examiner's general reference to terms used in Weltman's disclosure has been insufficient to allow Applicant to determine where exactly the

Examiner believes each method step of claim 1 is taught. That is, Applicant is unable to determine where the Examiner believes various elements are received, translated, transmitted, formatted, and returned, and specifically which elements of Weltman the Examiner believes are being operated on for each of these steps. Applicant respectfully requests that the Examiner identify specifically where he believes each step is taught by Weltman (*e.g.*, where are any results reformatted to the first programming language?), so that Applicant can fully and specifically address the Examiner's concerns.

If a telephone interview would be helpful in resolving any remaining issues, or if the Examiner has any suggestions for expediting this case to allowance, he is cordially invited to telephone the undersigned.

CLAIM REJECTIONS -- 35 U.S.C. § 103

Claims 2-5, 7-10 and 12-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over LSAP as taught by Weltman, in view of .NET as taught by Learning C#, Jess Liberty from 2002 hereinafter "MS". The Applicant respectfully traverses the rejection.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-133 (8th ed. rev. 4, October 2005). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.* To establish a *prima facie* case of obviousness, three basic criteria must be met: *Id.* First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art,

to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *Id.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

As MS does not teach or suggest the specific claim limitations as discussed above with relation to the independent claims, the proposed Weltman/MS combination similarly fails to teach or suggest the claim limitations, and these rejections are traversed.

Accordingly, the Applicant respectfully requests the Examiner to withdraw the § 103 rejection with respect to these claims.



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CONCLUSION

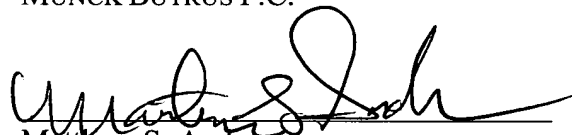
As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *manderson@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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